

Appl. No. 09/805,950 Senior Response filed 01/31/05 to Final Office Action dated 10/19/04

REMARKS/ARGUMENTS

This application has been carefully considered in light of the Final Office Action on the merits of October 19, 2004 and an interview with the Examiner and Supervisory Examiner. The applicant thanks the Examiners for the courtesy of granting the interview after the Final Office Action.

Claims 6-12 have been rejected under 35 U.S.C. 101 as being directed to non-statutory subject matter. Claims 6-23 have been rejected under 35 U.S.C. 103(a) as being obvious and therefore unpatentable over US patent 6,778,967 to Nicholson when considered in view of the teachings of US patent 6,741,969 to Chen and further in view of the teachings of US patent 6,611,811 to Deaton.

During the interview it was discussed that applicant will be filing a Request for Continued Examination (RCE) in which further amendments will be made to the claims to more clearly define the invention over the prior art cited in the Final Office Action. It is believed that the further amendments to the claims may raise new issues not previously considered by the Examiner, but not any new matter.

However, in order to overcome the rejection under 35 U.S.C.

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101, this response is submitted to amend claims 6 and 12. The claims have been amended to claim the computer database which stores information with respect to the commodities offered for purchase as well as establishes and maintains the quantity credit account of purchasers buying at a current price for redemption at a later time but at the current price cost. It is respectfully submitted that this amendment to the claims should overcome the rejection under 35 U.S.C. 101. It is requested that this amendment to the claims be entered for purposes of overcoming the rejection of claims 6-12 under 35 U.S.C. 101 only.

Support for the amendment is found in the specification and drawings including at the paragraph beginning at line 15 of page 15.

It is believed that the present invention is clearly distinguishable over the art, however, further claim amendments are necessary as set forth above.

As this response is being filed after the shortened statutory period, a request for extension of time for one month or until February 22, 2005 is submitted herewith with the fees charged to Deposit Account 04-1577.

Should the Examiner have any questions regarding this response or the amendments being submitted, it would be appreciated if the Examiner would contact the undersigned

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attorney-of-record at the telephone number shown below for further expediting the prosecution of the application.

Respectfully submitted,

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